
Appeal Decision

Site visit made on 16 September 2020

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2020

Appeal Ref: APP/H5960/W/20/3249608

Land R/O 13 Thurleigh Road, London SW12 8UB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Edward Church against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2019/5447, dated 12 December 2019, was refused by notice dated 13 March 2020.
 - The development proposed is the erection of two-storey plus basement two-bedroom dwellinghouse.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Part E of the appeal form indicates that the description of development has not changed from that stated on the application form, nonetheless a differing wording has been entered. I have used the description as stated on the appeal form, which is used by the Council in the decision notice, as this accurately describes the proposal.

Main Issues

3. The main issues are the effect of the proposal on:
 - i) the character and appearance of the area, bearing in mind the sites location within the Wandsworth Common Conservation Area, and
 - ii) the adjacent trees.

Reasons

Character and appearance

4. The site lies within the Wandsworth Common Conservation Area (the CA). The accompanying Wandsworth Common Conservation Area Appraisal identifies that the special interest of the CA relies upon the relationship between the fine-grained pattern of development surrounding the common and the open space of the common. Streets are mainly laid out in the form of grids, comprising two to three-storey terraces and semi-detached buildings.
5. I observed the immediate vicinity within which the site is located to be characterised by residential development, and its significance derived, in part,

from the general consistency in the use of external materials, in that buildings along Thurleigh Road were constructed of yellow stock brick with red brick detailing, whilst buildings along Blenkarne Road were generally constructed in red brick. There was also a pleasing rhythm to development within the area created by the regularity of terraces and semi-detached properties. This created an attractive and high-quality townscape, as well as also contributing to the significance of the CA.

6. The appeal scheme proposes the erection of a dwelling on the site. The dwelling would be modern in design, rising to two-storeys in height (above ground level) and attached to the neighbouring property. There would be a flat roof over, with large elements of glazing to the front elevation, including a glazed wall delineating the proposal from the existing property.
7. The proposed building would rise to the same height as a two-storey, flat roofed extension to the adjacent property. As a result, the building would have a substantial visual presence to the street. This, when considered together with the proposed use of grey brick as well as the inclusion of large areas of glazing, would result in the proposal appearing as a discordant and incongruous addition to the street. Its appearance would be in stark and glaring contrast to the prevailing character of residential development in the area.
8. The dwelling would replicate the height of the adjoining extension and have the appearance of elongating the frontage of the pair of semi-detached dwellings, having a terracing effect and diminishing the positive contribution that the regularity of the semi-detached pairing makes to the street. The inclusion of a glazed wall would do little to prevent this. Given the discordant appearance I refer to above, this would have a visually disrupting effect in terms of the pattern and rhythm of development in the area. Given the positive contribution that results from the existing pattern of development, this too would have an undesirable and harmful effect. Thus, it would fail to integrate acceptably with existing townscape features.
9. Whilst I note that within conservation areas, modern design can be acceptable, in this instance, for the reasons I set out above, I find that the proposed scheme would have an adverse effect.
10. Accordingly, I find that the proposal would have a harmful effect on the character and appearance of the area, which would include harming the significance of the conservation area as a designated heritage asset. Thus, the scheme would conflict with policies DMS1 and DMS2 of the Wandsworth Local Plan – Development Management Policies Document (the DMPD), insofar as they seek to ensure the scale, massing and appearance of development contributes positively to local spatial character and that development conserves the significance of heritage assets.
11. In failing to preserve the character and appearance of the conservation area, I find that the scheme would result in less than substantial harm to a designated heritage asset. As required by paragraph 196 of the Framework, I have had regard to any public benefits of the proposed development. However, any such benefit is not sufficient to outweigh the harm that I have identified.
12. Whilst reference is made to the scheme eroding the green corridor to the rear of properties along Thurleigh Road, I find that the corridor would be maintained and as such there would be no harm in this respect.

Trees

13. Trees, including one subject to a Tree Preservation Order (TPO), are located adjacent to the appeal site. Given that a previously consented scheme has been implemented on the site and foundations constructed, there is no concern over the effect on roots of the trees, but rather how the proposed dwelling would relate to the canopies.
14. Information submitted with the appeal outlines that the tree subject to the TPO is located towards the front of the site and the canopy would be over a recessed part of the dwelling. No works other than a pruning regime would be needed to accommodate the development. An additional tree is located further into the neighbouring site and the information outlines that, again, pruning would be required in order to ensure that both the tree and the proposed dwelling can acceptably co-exist.
15. I have nothing before me that would lead me to disagree with this information and as such, subject to conditions, there would be no unacceptable effect on adjacent trees. Thus, the proposal would comply with policy DMO5 of the DMPD, insofar as it seeks to ensure development would not result in damage to, or loss of, trees of amenity value.

Other Matters

16. I acknowledge that planning permission has previously been granted for the erection of a dwelling on this site. However, that permission was for a single storey dwelling (above ground level) which would have a markedly different appearance from that which is proposed within the appeal scheme and thus would be different in its visual effect. Consequently, I do not find that the existence of planning permission for a different scheme is justification for allowing this appeal.
17. I have had regard to the examples of modern development which has been approved, as provided by the appellant. However, each of these schemes differs from that which is before me, in terms of scale, design and locational context. As I state above, I accept that modern design is acceptable within the context of conservation areas, however it is the specific scheme that is before me with which I have found harm. Consequently, the cited examples do not persuade me of the acceptability of the appeal scheme.
18. I also note that the increased floor area would offer greater flexibility in the accommodation provided. This however does not outweigh the harm I identify.

Conclusion

19. For the reasons given above, I conclude that the appeal should be dismissed.

Martin Allen

INSPECTOR